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12 Attorneys for Defendants  
13 KEVIN J. LUNNY and  
14 DRAKES BAY OYSTER COMPANY

15 UNITED STATES DISTRICT COURT  
16  
17 NORTHERN DISTRICT OF CALIFORNIA  
18  
19 SAN FRANCISCO DIVISION

20 CALIFORNIA RIVER WATCH,

21 Plaintiff,

22 v.

23 KEVIN J. LUNNY; DRAKES BAY OYSTER  
24 COMPANY; DOES 1-30, inclusive,

25 Defendants.

Case No. C 14-00598 EMC

**STIPULATED REQUEST TO  
CONTINUE CASE  
MANAGEMENT CONFERENCE;  
[PROPOSED] ORDER**

26 Pursuant to Local Rules 6-1 and 6-2, Plaintiff California River Watch and Defendants  
27 Kevin J. Lunny and Drakes Bay Oyster Company (“Drakes Bay”), by and through their  
28 respective counsel of record, hereby submit the following stipulated request to continue the Initial  
Case Management Conference currently set for August 14, 2014.

WHEREAS, prior to re-assignment to this Court, the Honorable Judge Beeler, pursuant to  
the request of the parties to continue the Initial Case Management Conference, had set that  
conference for August 14, 2014 (Doc. 11);

WHEREAS, this Court in its Case Management Conference Order in Reassigned Cases  
(Doc. 14) re-set the Initial Case Management Conference for June 12, 2014;

1 WHEREAS, this Court, pursuant to a joint request of the parties, re-set the Initial Case  
2 Management Conference for August 14, 2014 (Doc. 22);

3 WHEREAS, the federal government has directed Drakes Bay to cease its oyster farming  
4 operations by July 31, 2014 in light of the Supreme Court's recent order (2014 WL 1483683  
5 (June 30, 2014)) denying the petition for certiorari in *Drakes Bay Oyster Company v. Sally*  
6 *Jewell*, 747, F.3d 1073 (2013) (affirming government's decision to let Drakes Bay's permit for  
7 commercial oyster farming expire);

8 WHEREAS, the parties would like time to discuss what effect the federal government's  
9 order directing Drakes Bay to cease its operations has on the issues in this case;

10 NOW THEREFORE, the parties respectfully and jointly request that the Court continue  
11 the Initial Case Management Conference, currently set for August 14, 2014, to October 16, 2014,  
12 or as soon thereafter as may be convenient for the Court.

13 Respectfully submitted this 17th day of July, 2014.

14  
15 Dated: July 17, 2014

RACHEL KREVANS  
CHRISTOPHER J. CARR  
NAVI DHILLON  
MORRISON & FOERSTER LLP

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19 By: /s/ Christopher J. Carr  
CHRISTOPHER J. CARR

20 Attorneys for Defendants  
21 KEVIN J. LUNNY and  
DRAKES BAY OYSTER COMPANY

1 Dated: July 17, 2014

JACK SILVER  
LAW OFFICE OF JACK SILVER

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3 By: /s/ Jack Silver

4 JACK SILVER

5 Attorneys for Plaintiff  
6 CALIFORNIA RIVER WATCH  
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**[~~PROPOSED~~] ORDER**

In light of the foregoing stipulation and good cause appearing, the Court hereby GRANTS the parties' stipulated request to continue the currently scheduled Initial Case Management Conference.

The Initial Case Management Conference currently set for August 14, 2014, shall be continued to October 16, 2014, at 9:30 a.m. The parties shall file a joint case management conference statement one week in advance of that date.

**IT IS SO ORDERED.**

Dated: 7/21/14

